

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JOSEPH A. COCHRAN, JR.,	)	
	)	
Plaintiff,	)	C.A. No.: 06-697 JJF
	)	
v.	)	
	)	
JAMES W. REED and	)	
J. B. HUNT TRANSPORT, INC.,	)	TRIAL BY JURY DEMANDED
	)	
Defendants.	)	

PLAINTIFF'S REPLY TO DEFENDANTS' J.B. HUNT TRANSPORT, INC, AND  
JAMES W. REED OPPOSITION TO PLAINTIFF'S MOTION TO  
EXTEND DEADLINE TO IDENTIFY AN ECONOMIC EXPERT

Plaintiff, by and through his undersigned counsel, hereby files this reply to Defendants' Opposition to Plaintiff's Motion to Extend the Deadline to Identify an Economic Expert. In support thereof, Plaintiff states as follows:

(1) Plaintiff requests only a brief extension in which to provide a report detailing the present day value of Plaintiff's lost wages arising out of his impending discharge from the United States Marines. As Plaintiff testified during his October 31, 2007 deposition, he has been unable to return to his position as Private First Class in the Marine Reserves since the October 20, 2004 accident. Plaintiff expects the discharge to become effective in the near future, although he has never been informed of the effective date.

(2) Plaintiff's request will have no impact on any of the dates contained in this Court's case scheduling order, with the possible exception of the Defendant's deadline to identify experts. Although Defendant's often do not retain rebuttal economic experts to compute the present day value of a lost wage claim Defendants will have sufficient time to do so should they opt to in this case. The pertinent deadlines are as follows:

(i) December 12, 2007-Deadline to amend the complaint and for Defendant to produce reports from retained experts.

(ii) January 18, 2008-Deadline to file dispositive motions.

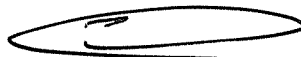
(iii) April 10, 2008-Pre-trial conference.

The trial has not been scheduled.

(3) Plaintiff's request does not prejudice the Defendants. Contrary to Defendants' argument claiming surprise in Plaintiff's discovery deposition that he is going to be discharged due to his injury, the Complaint in this case seeks damages for future lost wages and Defendants have had Plaintiff's medical records since March 2007, including Plaintiff's military records, which include a May 2, 2005 note from the military doctor removing him from active duty and Dr. Cucuzzella's multiple notes removing Plaintiff from active military duty until further notice. As such, there is no prejudice to the Defendant if this Court grants Plaintiff leave to retain an expert who will simply reduce the lost military wages (which the Plaintiff is competent to testify about) to present value.

WHEREFORE, Plaintiff respectfully requests that this Court grant Plaintiff's Motion to Extend the Deadline to Identify an Economic Expert.

**YOUNG CONAWAY STARGATT & TAYLOR, LLP**



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Dated: 11/26/07

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**CERTIFICATE OF SERVICE**

I, Timothy E. Lengkeek, Esquire, hereby certify that on this day of 11/26 2007, I caused copies of the foregoing document, Plaintiff's Reply to Defendants' J.B. Hunt and James W. Reed Opposition to Plaintiff's Motion to Extend Deadline to Identify an Economic Expert, Proposed Order and this Certificate, to be served on the following individual, in the manner indicated below:

**BY HAND DELIVERY**

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